

# KING & SPALDING

January 13, 2023

## VIA ECF

The Honorable Lorna G. Schofield  
United States District Court  
Southern District of New York  
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New York, NY 10007  
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Re: *Manbro Energy Corp. v. Chatterjee Advisors, LLC*, No. 20 Civ. 3773 (LGS) (S.D.N.Y.)

Dear Judge Schofield:

I write respectfully on behalf of Defendants regarding the Court's January 9, 2023 Order, Dkt. No. 301, which (among other things) seeks Manbro's position regarding the sealing of Exhibit A to the Declaration of Mark A. Kirsch in Opposition to Plaintiff's Motions *in Limine*. Defendants previously sought leave to file Exhibit A under seal, *see* Dkt. No. 274, and respectfully request that this exhibit remain sealed.

Exhibit A contains "[i]nformation . . . that [Defendants] reasonably and in good faith believe[] contains or would disclose non-public, confidential, proprietary, financial, . . . or commercially sensitive information." Dkt. No. 51 § 1.3. Specifically, this exhibit includes confidential and personal information regarding non-party investors in Haldia Petrochemicals Ltd., which is also a non-party. *See* Dkt. No. 278-1. This information is properly regarded as confidential and subject to sealing. *See Kewazinga Corp. v. Google LLC*, 2020 WL 8224932, at \*1 (S.D.N.Y. July 22, 2020) (granting request to file exhibits under seal "to prevent the unauthorized dissemination of the parties' confidential business information . . . and third-party confidential business information and personal information"); *see also United States v. Amodeo*, 71 F.3d 1044, 1050 (2d Cir. 1995) ("the privacy interests of innocent third parties should weigh heavily in a court's balancing equation" when deciding a motion to seal). The Court has previously granted motions to seal similar information, *see* Dkt. Nos. 94, 215, 302. Accordingly, Defendants respectfully request that Exhibit A remain sealed.

We thank the Court for its consideration of this request.

Respectfully,

/s/ Mark A. Kirsch

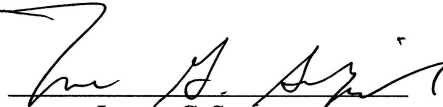
Mark A. Kirsch

Cc: All counsel of record (via ECF)

Application GRANTED for substantially the reasons stated above.

The Clerk of Court is respectfully directed to maintain under seal all documents currently filed under seal.

Dated: January 18, 2023  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE